

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	CRIMINAL NO. 6:18-CR-42
	§	JUDGES GILSTRAP/LOVE
ARCEE LAYNE MCCULLOCH (10)	§	

ELEMENTS OF THE OFFENSE

Count 13

Violation: 21 U.S.C. § 841(a)(1) (Possession with Intent to Distribute Cocaine Base)

Penalty: Imprisonment for a term of not more than 20 years; a fine not to exceed \$1,000,000, or both; and a term of supervised release of at least 3 years.

Special Assessment: \$100.00

You are charged in Count 13 of the Indictment with a violation 21 U.S.C.

§ 841(a)(1), Possession with Intent to Distribute Cocaine Base. The essential elements which must be proven to establish violation of these offenses are:

FIRST: That you knowingly possessed a controlled substance;

SECOND: That the substance was, in fact, cocaine base, a Schedule II controlled substance; and,

THIRD: That you possessed the controlled substance with the intent to distribute it.

Respectfully submitted,

JOSEPH D. BROWN
UNITED STATES ATTORNEY

/s/ Lucas Machicek
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Elements of the Offense has been served on counsel of record for the defendant via ECF on December 7, 2018.

/s/ Lucas Machicek
LUCAS MACHICEK